
The New York Court of Appeals Affirms the Continued Vitality of the "Separate Entity" Rule in the International Banking Context

Date: 10/29/14

On October 23, 2014, in *Motorola Credit Corp. v. Standard Chartered Bank*, New York's highest court answered a question certified to it by the United States Court of Appeals for the Second Circuit in the affirmative, holding that the "separate entity" rule precludes judgment creditors from ordering multinational banks operating branches in New York to restrain or attach a judgment debtor's assets held in a foreign branch of the bank. In doing so, the New York Court of Appeals rejected the claim that its ruling in *Koehler v. Bank of Bermuda Ltd.* abolished the rule.

Attorney

- Charles A. Gilman